

GAVIN, COX, PUGH, GAVIN AND ETHERIDGE

119 WORTH STREET ASHEBORO, NORTH CAROLINA 27203

ber a 3 az en So TELEPHONE (336) 629-2600

W. ED GAVIN

RICHARD L. COX

SCOTT C. ETHERIDGE

ALAN V. PUGH LEE W. GAVIN

October 2, 1998

FACSIMILE (336) 629-4734

Xavier McDonnell, Esquire Enforcement Division Office of the General Counsel Federal Election Commission 999 E-Street, N.W. Washington, D.C. 20463

> MUR - 4797 Re:

MUR - 4798 ✓

Dear Xavier:

Enclosed please find verified Answers and exhibits to the Interrogatories you served on my clients.

If you have any questions, please do not hesitate to call.

With best regards,

Very truly yours,

GAVIN, EQX, PUGH, GAVIN and ETHERIDGE

AVP:dr

Enclosures

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MUR 4798

ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

I was not the treasurer of the Randolph County Republican Executive Committee during the time period in question not having been elected until April, 1998. The previous treasurer was Mr. David Hamilton, who passed away some weeks prior to my election as treasurer. My answers to these interrogatories are therefore based on my information and belief and on what I believe the records of the Executive Committee reflect, not on my person knowledge.

- 1. Disclosure reports indicate that during 1996 you contributed/transferred \$10,000.00 to the Sixth Congressional District Republican Party ("6th District"). With respect to such transfer/contribution:
- a. State the date on which you contributed/transferred such funds;

ANSWER: I did not transfer the funds, but the records reflect a transfer of \$10,000.00 by check dated 10/15/96.

- b. State whether the funds were transferred pursuant to any request made by the 6th District;
 - ANSWER: These funds were transferred on recommendation of Continental Communications, Inc., a political consulting firm with the approval of the 6th District treasurer to pay an invoice for radio ads produced and placed by Blackwelder Communications for State Representatives Joanne Sharpe and John Cocklereece, Republican candidates for the 89th N.C. State House District.

- c. State the purpose of such transfer/contribution;
 ANSWER: See answer to 1.b. above.
- d. Identify all persons involved in giving and receiving such funds;

ANSWER: Mark Stevens of Continental Communications, Inc. recommended to the Randolph County Committee to make the contribution. Assistant Treasurer, Lee Gavin, signed the check and sent same to the 6th District Treasurer, Collette Hoover, who endorsed and deposited same. Ms. Hoover then wrote a check to Blackwelder Communications.

e. Identify and produce all documents related to the transfer, including but not limited to check, memos, correspondence, etc.

ANSWER: Check from Randolph County to 6th District Committee date 10/15/96, for \$10,000.00 (attached) - 6th District deposit slip to First National Bank incorrectly dated 8/17/96 for \$10,000.00 (attached) (receipt from FNB (attached) accurately reflects deposit date of 10/17/96 at 2:18 p.m.) - 6th District check No. 1048 to Blackwelder Communications dated 10/17/96 (attached).

- 2. Disclosure reports indicate that you contributed/transferred \$22,425 to the 6th District on October 22, 1996. With respect to such transfer/contribution:
- a. State whether the funds were transferred pursuant to any request made by the 6th District;

ANSWER: I did not transfer these funds, but the records reflect two contributions by two checks dated 10/22/96, one for \$9,850.00 and the second for \$12,575.00.

b. State the purpose of such transfer/contribution;

ANSWER: Purpose was to allow the 6th District Committee to pay two invoices to Advantage Mailing L.L.C. for mailings done respectively for the Republican House

candidates in the N.C. State House District No.89, and the Republican State House candidates in State House District No. 25.

c. Identify all person involved in giving and receiving such funds.

ANSWER: Mark Stevens, Lee Gavin, Collette Hoover

d. Identify and produce all documents related to the transfer, including but not limited to check, memos, correspondence, etc.

ANSWER: Randolph Committee check no. 1039 for \$9,850.00 dated 10/22/96 (attached) - Randolph Committee check no. 1040 for \$12,575.00 dated 10/22/96 (attached) - 6th District First National Bank deposit slip for \$22,425.00 date 10/23/96 (attached) - 6th District First National Bank check nos. 1063 for \$12,556.00 and 1064 for \$9,820.00 to Advantage Mailing (attached).

- 3. Disclosure reports indicate that during 1996 you contributed/transferred \$13,925 to the Buncombe County Republican Party ("Buncombe County Committee"). With respect to such transfer/contribution:
- a. State the date on which you contributed/transferred such funds;

ANSWER: I did not transfer those funds. The records reflect that those funds were transferred by check no. 1050 dated 10/23/96 for \$13,925.00.

b. State whether the funds were transferred pursuant to any request made by the Buncombe County Committee;

ANSWER: These funds were transferred pursuant to recommendation by Continental Communication, Inc.
No request was made by the Buncombe County Committee.



ANSWER: The purpose was to pay Advantage Mailing for mail for Republican candidates for the North Carolina State House in State House District No. 51.

d. Identify all persons involved in giving and receiving such funds;

ANSWER: Mark Stevens of Continental Communications, Lee Gavin, Assistant Treasurer, Randolph County Committee. No direct communication between the Randolph Committee and the Buncombe Committee is reflected in the records.

e. Identify and produce all documents related to the transfer, including but not limited to check, memos, correspondence, etc.

ANSWER: Cancelled check no. 1050, dated 10/23/96, from the Randolph Committee to the Buncombe Committee (attached).

- 4. State whether you had any discussion with the 6th District or the Buncombe County Committee regarding the use of any of the funds referenced above in guestions 1-3. If so:
 - a. State when you had such discussions;
 - ANSWER: None, however, Continental Communications, Inc. as political consultant coordinated specific recommendations for contributions by the Randolph Committee and specific recommendations for the expenditures.
- b. State the substance of such discussions, and specifically whether you provided either of the recipient committees with any instructions, or made any request or suggestion, about the use of the fund, i.e., whether to use the funds on state of federal elections, on advertising, voter mailings, get-out-the-vote activity;

ANSWER: It was understood by all parties that any

contributions made by the Randolph Committee to Buncombe Committee were for the purpose of paying for expenditures on behalf of Republican candidates for the North Carolina House of Representatives only.

c. Identify all persons involved in such discussions;

ANSWER: Mark Stevens, Lee Gavin, Collette Hoover, Alan Pugh, Paul Shumaker

d. Identify and produce all documents related to such discussions, including but not limited to memos, correspondence, etc.

ANSWER: None.

- 5. Disclosure reports indicate that the 6th District made a \$10,000 payment/expenditure to Blackwater Communications on October 17, 1996. With respect to such payment/expenditure:
- a. State whether you had any discussions with the 6th District about such payment/expenditure, and if so, state the substance of any such discussions;

ANSWER: None.

b. State whether you gave the 6th District any instructions, or made any request or suggestion, about the \$10,000 payment/expenditure, including but not limited to suggesting what vendor to use and the type of goods or services purchased, i.e., whether to use the funds on state or federal elections, on advertising, voter mailings, get-out-the-vote activity;

ANSWER: None, but Mark Stevens did. His instructions were that the contributions were to be used for the support of Republican candidates for the N.C. House of Representatives.

c. Identify any person from your committee involved in

reviewing, approving or making suggestions regarding the goods or services purchased;

ANSWER: Alan Pugh.

d. Identify and produce all documents related to the payment/expenditure, including but not limited to scripts, tapes, memos, notes, correspondence, information stored on or created by computer.

ANSWER: None.

- 6. Disclosure reports indicate that the 6th District made a \$22,376 payment/expenditure to Advantage Mailing on October 23, 1996. With respect to such payment/expenditure:
- a. State whether you had any discussions with the 6th District regarding such payment/ expenditure and if so, state the substance of any such discussions;
- b. State whether you provided the 6th District with any instructions, or made any request or suggestion, about the \$22,376 payment, including but not limited to suggesting what vendor to use and the type of goods or services purchased, i.e., whether to use the funds on state or federal elections, on advertising, voter mailings, get-out-the-vote activity.
- c. Identify any persons from your committee involved in reviewing, approving or making suggestions regarding the goods or services purchased;
- d. Identify and produce all documents related to the payment/expenditure, including but not limited to scripts, tapes, memos, notes, correspondence, information stored on or created by computer.

ANSWER: 6(a)-(d) Answers same as 5(a)-(d) above inclusive.

- 7. Disclosure reports indicate that the Buncombe County Committee made a \$13,915 payment/expenditure to Advantage Mailing on October 24, 1996. With respect to such payment/expenditure:
- a. State whether you had any discussions with the Buncombe County Committee regarding such payment/ expenditure and if so, state the substance of any such discussions;
- b. State whether you provided the Buncombe County Committee with any instructions, or made any request or suggestion, about the \$13,915 payment, including but not limited to suggesting what vendor to use and the type of goods or services purchased, i.e., whether to use the funds on state or federal elections, on advertising, voter mailings, get-out-the-vote activity.
- c. Identify any persons from your committee involved in reviewing, approving or making suggestions regarding the goods or services purchased;
- d. Identify and produce all documents related to the payment/expenditure, including but not limited to scripts, tapes, memos, notes, correspondence, information stored on or created by computer.

ANSWER: 7(a)-(d) Answers same as 5(a)-(d) above inclusive.

8. Identify the account from which you made the transfer/contributions referenced above in questions 1-3 (provide the name and address of the bank, and the account number and identify the account holder and owner). State whether you deposited into such account any donation or contributions form any person that were in excess of \$1,000 per election.

ANSWER: Central Carolina Bank and Trust Co.

272 N. Fayetteville Street

Asheboro, N.C. 27203 Phone No. 336-625-1160 Account No. 16-1017333 Randolph Committee

First National Bank & Trust Co.

101 Sunset Avenue Asheboro, N.C. 27203 Phone No. 336-626-8301 Account No. 01-23862 6th District Committee

Buncombe Committee - Bank (unknown), but

endorsement of check indicates

Account No. 1212685453

I did not deposit any money into any account. The records reflect contributions in excess of \$1,000.00 per election to the Randolph County Republican Executive Committee deposited in the Central Carolina Bank and Trust account.

VERIFICATION

LAVERN A WILLIAMS, first being duly sworn, deposes and says that she has read the contents of the foregoing ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS and knows the contents thereof, that the same are true of her knowledge, except as to those matters and things stated upon information and belief, and as to those matters she believes them to be true.

Lavern A. Williams

Sworn to and subscribed before me this 25^{4k} day of September, 1998.

Notary Public

MOCALY INDIE

My Commission Expires: Liptomber 4, 2003

CERTIFICATE OF SERVICE

I hereby certify that the foregoing ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENT, were served upon the Federal Election Commission by mailing a copy thereof by first class mail, postage prepaid and addressed as follows:

Office of the General Counsel Federal Election Commission, Room 659 999 E Street, N.W. Washington, D.C. 20463

This ___ day of September, 1998.

Alan V. Pugh

GAVIN, COX, PUGH, GAVIN & ETHERIDGE

119 Worth Street

Asheboro, NC 27203

Telephone No. 910-629-2600

Fax No. 910-629-4734

DEPOSITED WITH

FIRST	NA	TIO	NAL	BAI	ΥK
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Sign Here For Cash Received

ACCOUNT NO

01-23862

Your deposit may not be available for immediate withdrawal consult your financial institution for further information.

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To Checking # 0123862

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Dill be posted on next business day.

All items are credited subject to payment.

THANK YOU FOR BANKING WITH FIRST NATIONAL BANK and TRUST COMPANY

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6TH DISTRICT REPUBLICAN EXECUTIVE COMMITTEE

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DATE: 10/31/96 ACCOUNT: 123862



SIXTH DISTRICT REPUBLICAN EXECTIVE COMMITTEE RR 5 BOX 205A ASHEBORO NC 27203-9322

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NOW YOU HAVE 24-HOUR ACCESS TO YOUR FIRST NATIONAL ACCOUNTS ON OUR FNB INFORMATION LINE. CALL 626-8301 OR 1-800-873-1172 OR YOUR LOCAL FNB OFFICE FOR MORE INFORMATION.

PERSONAL CDA ACCOUNT 123662

TAX IDENTIFICATION NUMBER 56-1675447 LAST STATEMENT 09/30/96 4,871.31 AVERAGE BALANCE 10,264.68 2 CREDITS 32,425.00 4 DEBITS 34,876.80 THIS STATEMENT 10/31/96 2,419.51

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Advantage Mailing, LLG

225 Hillsborough Street, Suite 255

Raleigh, NC 27603

DATE: 10/22/96

TERMS: DUE UPON RECEIPT

INVOICES PAST 30 DAYS SUBJECT TO 1,5% (18% APR) SERVICE CHARGE.

SOLD TO:

6th District GOP -- 25th House District C/O Colette Hoover 3309 Lassiter Maile Road

Asheboro, North Carolina 27203 910-625-3368

31,390 Voter pieces including graphic design, layout, artwork, typesetting, copywriting half-tones, paper material, printing, voter list & computer selects, computer addressing, sorting, bulking, tabbing, red tagging, delivery to Greensboro Bulk Mail Center...........\$7,403.30

6% NC Sales Tax \$444.20

Postage Total \$4,708.50

\$12,556.00

Advantage Mailing, LLC

225 Hillsborough Street, Suite 255

Raleigh, NC 27603

DATE: 10/22/96

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24,552 Voter pieces including graphic design, layout, artwork, typesetting, copywriting half-tones, paper material, printing, voter list & computer selects, computer addressing, sorting, bulking, tabbing, red tagging, delivery to Greensboro Bulk Mail Center.........\$5,790.57

6% NC Sales Tax \$347.43

Postage \$3,682.80

Total \$9,820.80

Please Make Check Payable to:

Advantage Mailing



October 17, 1996

INVOICE

TO: Sixth District Republican Party c/o Collette Hoover, Treasurer 3309 Lassiter Mill Road Asheboro, NC 27203

FOR: Copy, production and placement of political

radio advertising

\$10,000.00

TERMS: Due and payable on receipt.

THANK YOU

pd 10/17/96



70 ALAN PUGH 629-4134

PAGES TO FOLLOW Z
PAGES TO FOLLOW Z
RAPIO AD

Comparison Radio

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(Female)

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BY \$650 MILLION? WHAT DO YOU CALL POLITICIANS WHO
SPEND A BILLION DOLLAR SURPLUS RATHER THAN GIVING IT
BACK TO THE TAXPAYERS? WHAT DO YOU CALL POLITICIANS
WHO WORK HARDER TO HELP THEMSELVES THAN THEY DO FOR
THE PROPLE BACK HOME? WELL, IN 1994 THE PEOPLE OF
GUILPORD COUNTY CALLED THESE KINDS OF POLITICIANS
LIKE MARY JARRELL AND MAGGLE JEPFUS HOME. THAT'S
WHAT THRY CALLED THEM.

BUT NOW JARRRIL AND JEFFUS ARE AT IT

AGAIN. THEY'RE RUNNING TO PUT THEMSELVES

BACK ON YOUR PAYROLL. AGAIN. THEY'RE WORKING HARD

TO CONVINCE YOU TO SEND THEM BACK TO RALEIGH.

BUT YOU KNOW BETTER. TWO YEARS AGO YOU CALLED

MARY JARRELL AND MAGGIE JEFFUS HOME. AND

REPLACED THEM WITH JOANNE SHARPE AND JOHN

COCKLERBECE. THEY WENT TO THE STATE HOUSE WITH A

WHOLE DIFFERENT ATTITUDE ABOUT SERVING THE PEOPLE.

THEY VOTED FOR TAX CUTS, NOT HIGHER TAXES. THEY

VOTED TO CUT THE COST OF GOVERNMENT, NOT MAKE IT

HIGGER. THEY VOTED TO REFUND TAX DOLLARS TO YOU,

34 . A. C. S. S. C. S.

NOT USE IT TO LINE THEIR OWN POCKETS. THE

VOTERS MADE THE RIGHT CHOICE IN 1994. LET'S

KERP IT GOING. LET'S KEEP MARY JARRELL AND

MAGGIE JEFFUS HOME.

Disclaimer: PAID FOR BY SIXTH DISTRICT REPUBLICAN PARTY.

66-48 531

CUTIVE COMMITTEE RANDOLPH COUNTY REPUBLICAN 119 WORTH STREET ASHEBORO, NC 27203

DATE 10/23/45

PAY TO THE ORDER OF BUNCOMBE County Republican Executive Com. 1\$ 13, 925 Thirteen thousand

*Central Carolina Bank and Trust Company 160 Asheboro, North Carolina 27204

FOR_Contribution

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Advantage Mailing, LLC

225 Hillsborough Street, Suite 255 Raleigh, NC 27603

DATE: 10/22/96

TERMS: DUE UPON RECEIPT

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SOLD TO:

6th District GOP -- 25th House District C/O Colette Hoover 3309 Lassiter Maile Road

Asheboro, North Carolina 27203 910-625-3368

31,390 Voter pieces including graphic design, layout, artwork, typesetting, copywriting half-tones, paper material, printing, voter list & computer selects, computer addressing, sorting, bulking, tabbing, red tagging, delivery to Greensboro Bulk Mail Center............\$7,403.30

6% NC Sales Tax \$444.20

Postage \$4,708.50 **Total** \$12,556.00

Please Make Check Payable to:

Advantage Mailing

INVOICE

Advantage Mailing, LLC

225 Hillsborough Street, Suite 255 Raleigh, NC 27603

DATE: 10/22/96

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INVOICES PAST 30 DAYS SUBJECT TO 1.5% (18% APR) SERVICE CHARGE.

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6% NC Sales Tax \$347.43

Postage \$3,682.80 Total \$9,820.80

Please Make Check Payable to:

Advantage Mailing



1700 Elkhart Drive . Greensboro, NC . 27408

October 17, 1996

INVOICE

TO: Sixth District Republican Party c/o Collette Hoover, Treasurer

3309 Lassiter Mill Road Asheboro, NC 27203

FOR: Copy, production and placement of political

radio advertising

\$10,000.00

1

TERMS: Due and payable on receipt.

THANK YOU

pd 10/17/96